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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

John Doe,

Plaintiff,

v.

State of Arizona,

Defendant.

Case No. 2:18-cv-00384-GMS

**DEFENDANT'S ANSWER TO
PLAINTIFF'S COMPLAINT**

Defendant the State of Arizona hereby answers Plaintiff's Complaint by admitting, denying, and affirmatively alleging as follows:

1. Defendant admits that Plaintiff's Complaint asserts a claim against it under Title VII as alleged in ¶ 1 of Plaintiff's Complaint, but denies that it committed any acts giving rise to any liability to Plaintiff under Title VII or otherwise.

2. Defendant admits the allegations in ¶ 2 of Plaintiff's Complaint.

3. Defendant admits the allegations in ¶ 3 of Plaintiff's Complaint.

4. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 4 of Plaintiff's Complaint.

5. Defendant admits the allegations in ¶ 5 of Plaintiff's Complaint.

6. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 6 of Plaintiff's Complaint.

1 7. Defendant denies that it owns and operates the Arizona Department of
2 Corrections (the “Department”), but admits that the Department is a division/department of
3 the State of Arizona and affirmatively asserts that the Department is a non-jural entity.

4 8. Defendant admits the allegations in ¶ 8 of Plaintiff’s Complaint.

5 9. Defendant denies the allegations in ¶ 9 of Plaintiff’s Complaint.

6 10. Defendant denies the allegations in ¶ 10 of Plaintiff’s Complaint.

7 11. Defendant lacks knowledge or information sufficient to form a belief as to the
8 truth of the allegations in ¶ 11 of Plaintiff’s Complaint.

9 12. Defendant denies the allegations in ¶ 12 of Plaintiff’s Complaint.

10 13. Defendant lacks knowledge or information sufficient to form a belief as to the
11 truth of the allegations in ¶ 13 of Plaintiff’s Complaint.

12 14. Defendant denies the allegations in ¶ 14 of Plaintiff’s Complaint.

13 15. Defendant denies the allegations in ¶ 15 of Plaintiff’s Complaint.

14 16. Defendant denies the allegations in ¶ 16 of Plaintiff’s Complaint.

15 17. Defendant lacks knowledge or information sufficient to form a belief as to the
16 truth of the allegations in ¶ 17 of Plaintiff’s Complaint.

17 18. Defendant denies the allegations in ¶ 18 of Plaintiff’s Complaint.

18 19. Defendant lacks knowledge or information sufficient to form a belief as to the
19 truth of the allegations in ¶ 19 of Plaintiff’s Complaint.

20 20. Defendant denies the allegations in ¶ 20 of Plaintiff’s Complaint and
21 affirmatively alleges that it had no knowledge of any alleged threat to Plaintiff’s safety, that
22 Plaintiff was being subjected to any discriminatory harassment, and that Plaintiff refused to
23 provide it with any information regarding any alleged problem he may have been
24 experiencing.

25 21. Defendant denies the allegations in ¶ 21 of Plaintiff’s Complaint and
26 affirmatively alleges that Plaintiff’s attorney complained about alleged discriminatory
27 treatment in June 2015 and requested that Plaintiff be transferred to the Department’s facility
28 in Douglas, Arizona.

22. Defendant denies the allegations in ¶ 22 of Plaintiff's Complaint and affirmatively alleges that Plaintiff's attorney specifically requested that Plaintiff be transferred to Douglas, Arizona, and the Department agreed to that request.

23. Defendant denies the allegations in ¶ 23 of Plaintiff's Complaint.

24. Defendant denies the allegations in ¶ 24 of Plaintiff's Complaint.

25. Defendant denies the allegations in ¶ 25 of Plaintiff's Complaint.

26. Defendant denies the allegations in ¶ 26 of Plaintiff's Complaint.

27. Defendant denies the allegations in ¶ 27 of Plaintiff's Complaint.

28. Defendant denies the allegations in ¶ 28 of Plaintiff's Complaint.

29. Defendant denies the allegations in ¶ 29 of Plaintiff's Complaint.

30. Defendant denies that Plaintiff was subjected to any discriminatory treatment during his employment, but admits the remaining allegations in ¶ 30 of Plaintiff's Complaint.

31. Defendant lacks knowledge or information sufficient to form a belief as to the truth of the allegations in ¶ 31 of Plaintiff's Complaint.

32. Defendant denies each and every allegation in Plaintiff's Complaint that it did not specifically admit.

AFFIRMATIVE DEFENSES

1. Plaintiff has failed to mitigate his alleged damages.

2. To the extent Plaintiff is seeking punitive or exemplary damages, Defendant affirmatively alleges that it is not liable for any such punitive or exemplary damages under 42 U.S.C. § 1981a(b)(1).

3. Defendant exercised reasonable care to prevent and promptly correct any allegedly discriminatory or harassing behavior and Plaintiff unreasonably failed to take advantage of the preventive or corrective opportunities that Defendant provided.

4. Plaintiff may not seek declaratory, injunctive, or equitable relief as a matter of law.

